IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

FRIDAY, THE EIGHTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE Mr.BILAL NAZKI, THE ACTING CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE G.CHANDRAIAH

WRIT APPEAL NO : 951 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 30/03/2005 in WP NO :5997 of 2005 on the file of the High Court.)

Between:

Pelluru Sathis Babu, S/o. Srinivasulu Naidu,
R/o. Plot No.66, SBI Colony, Nellore District.

..... APPELLANT

AND

1 The Managing Director, AP Industrial Infrastructure

Corporation Ltd., # 5-9-58/B, 6th Floor, Parisrama

Bhavanam, Fateh Maidan Road, Hyderabad.
2 The Zonal Manager, A.P. Industrial Infrastructure

Corporation Ltd., Nellore.
3 The District Collector, Nellore, Nellore District.

...RESPONDENTS

Counsel for the Appellant: MR.S.SURYA PRAKASA RAO

Counsel for the Respondents 1&2.: MR.E.MADAN MOHAN RAO

Counsel for the Respondent No.3 : G.P. for Revenue

The Court made the following :

ORAL ORDER: (Per Sri Bilal Nazki, the Hon'ble the Acting Chief Justice)

The writ petition had been filed seeking a declaration that the action of the respondents in inducting the third parties in plot No.B-9 in NI Estate APIIC, Nellore was illegal and consequently a direction was sought that the said plot should be allotted to the petitioner whose writ petition was dismissed by the learned single Judge and thus this appeal has been filed.

Learned counsel for the appellant submits that in the counter affidavit filed by respondents 1 and 2 they have stated that "the petitioner may submit a fresh application in the prescribed form in accordance with APIIC Allotment Regulations and the same would be considered in accordance with the allotment regulations". He submits that in view of these assertions, the writ appeal may be disposed of and the respondents may be directed to consider his application for fresh allotment.

Accordingly, we dispose of the writ appeal modifying the order of the learned single Judge to the extent that if an application is made by the writ petitioner for allotment of the plot afresh, the same shall be considered by the respondents in accordance with law and the allotment regulations.

No costs.

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08…07…2005

msv

To

1 The Managing Director, AP Industrial Infrastructure

Corporation Ltd., # 5-9-58/B, 6th Floor, Parisrama

Bhavanam, Fateh Maidan Road, Hyderabad.
2 The Zonal Manager, A.P. Industrial Infrastructure

Corporation Ltd., Nellore.
3 The District Collector, Nellore, Nellore District.

4 2 CCs to GP for Revenue, High Court of A.P. Hyd (OUT)

5 2 CD copies.